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6 | Attorneys for Defendant Otay Water District

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA**

11 AMERICAN PROTECTION INSURANCE ) Case No. 08-cv-0662-JM-POR  
COMPANY, )  
12 Plaintiff, ) **PROOF OF SERVICE**  
13 v. ) Action Filed: 4/11/08  
14 OTAY WATER DISTRICT )  
15 Defendant )  
16 \_\_\_\_\_ )

I am and was at the time of service of the papers herein referred to, over the age of eighteen years, and not a party to the action. I am employed in the County of San Diego, California. My business address is 501 West Broadway, Suite 1760, San Diego, CA 92101.

21 On August 15, 2008, I served the following documents:

**1. OTAY WATER DISTRICT'S ANSWER AND COUNTERCLAIM FOR BREACH OF CONTRACT AND BREACH OF THE IMPLIED COVENANT OF GOOD FAITH AND FAIR DEALING**

on the following recipients, respectively as follows:

*Please see attached service list*

(BY FEDERAL EXPRESS) I sent a copy via Federal Express, -OVERNIGHT DELIVERY. Please see service list for list of Airbill No.'s for each recipient.

1     (BY PERSONAL SERVICE) I caused each such envelope to be delivered by hand to  
2    the addressee(s) above. The actual Declaration of Personal Service shall be filed upon its  
receipt, within the applicable statutory deadlines.

3     (BY MAIL) I am readily familiar with the business' practice for collection and processing  
4    of correspondence for mailing with the United States Postal Service; such correspondence would  
5    be deposited with the United States Postal Service the same day of deposit in the ordinary course  
of business. I caused such envelope with postage thereon fully prepaid to be placed in the United  
States mail at San Diego, California.

6     (BY PERSONAL SERVICE) I caused each such envelope to be delivered by hand to the  
7    addressee(s) above. The actual Declaration of Personal Service shall be filed upon its receipt,  
within the applicable statutory deadlines.

8     (BY FACSIMILE) I sent a copy via facsimile transmission to the telefax number(s)  
9    indicated above. The facsimile machine I used complied with California Rules of Court, Rule  
2003 and no error was reported by machine. Pursuant to California Rules of Court, Rule  
10 2006(d), I caused the machine to print a transmission record of the transmission, a copy of which  
is attached to this document.

11  (BY ELECTRONIC MAIL as follows: I caused each such document to be delivered by  
12 electronic mail to the addressees above.

13 [ ] (STATE) I declare under penalty of perjury under the laws of the State of California  
that the above is true and correct.

14 [X] (FEDERAL) I declare that I am employed in the office of a member of the bar of this  
15 Court, at whose direction the service was made.

16                          Executed on August 15, 2008, San Diego, California.

17                            
18                          Adrian Cress

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1                   Service List

2       Regan Furcolo, Esq.  
3       Walsh & Furcolo, LLP  
3       750 B St., Ste. 2740  
4       San Diego, CA 92101-8129  
4       Phone: (619) 232-8486  
5       Fax: (619) 232-2691  
5       Attorney for American Protection Insurance Company/Kemper

6       Robert W. Brunner, Esq.  
7       Bollinger Ruberry & Garvey  
7       500 W Madison, Ste. 2300  
8       Chicago, IL 60661  
8       Phone: (312) 466-8000  
9       Fax: (312) 466-8001  
9       Attorney for American Protection Insurance Company/Kemper

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